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February 5, 2003

RECEIVED

**Via Hand Delivery**

FEB - 5 2003

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: *American Cellular Corporation*  
*E911 Quarterly Report -- CC Docket No. 94-102*

Dear Ms. Dortch:

American Cellular Corporation and its subsidiaries, (collectively "ACC"), by its attorneys, hereby submit an affidavit and cover letter with original signatures to accompany its E911 Quarterly Report filed on February 3, 2003 pursuant to the Commission's *Order to Stay*.<sup>1</sup> ACC's February 3, 2003 filing included a facsimile version of the attached affidavit.

If there are any questions regarding this matter, please contact the undersigned

Sincerely,

WILKINSON BARKER KNAUER, LLP



By: Lee J. Rosen

Attachment

Handwritten initials "OH" and a date stamp "Feb 12 2003" are visible in the bottom right corner.

<sup>1</sup> See *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, Order to Stay, 17 FCC Rcd 14841 (2002) ("*Order to Stay*").

**AMERICAN CELLULAR CORPORATION  
14201 WIRELESS WAY  
OKLAHOMA CITY, OK 73134  
(405) 529-8500**

**E911 Status – Quarterly Report**

**February 3, 2003**

**Summary of Report**

Pursuant to the *Order to Stay*,<sup>1</sup> American Cellular Corporation, as a Tier II carrier, provides in this Quarterly Report (“Report”) information on all pending requests for Phase I and Phase II it has received, including the entity requesting service, the date the request was received,<sup>3</sup> and the status of the request. For Phase I requests that have been pending for over six months, ACC has also included the projected deployment date (if available) and a brief description of the reasons for the delay and steps it has taken to resolve the issues causing the delay. Detailed information regarding the requests is contained in the attached table.

**Phase I Service**

ACC has received 75 requests for Phase I services and has activated service in all or in part in 58 of these jurisdictions. ACC has worked diligently with its third-party location solution vendors, TCS Corp. and Intrado, as well as the public safety community, in coordinating Phase I deployment.

As previously reported, ACC continues to treat the remaining 17 fully-pending and 7 partially-pending Phase I requests as valid, although all would no longer be active pursuant to Section 20.18(j) and the *Richardson* criteria.<sup>4</sup> The company remains committed to working with its vendors, the PSAPs, and the states, in order to deploy Phase I services in these jurisdictions as soon as possible.

**Phase II Service**

**A. Deployment Preparation**

As discussed in its waiver petition, ACC is a mid-sized carrier servicing predominantly rural and suburban markets in 12 states. The company relies primarily upon a TDMA-based network of base stations and switching equipment. As a result of the lack of commercial availability of compliant handset-based Phase II location solutions for TDMA carriers, the company has taken steps to prepare to deploy a network-based solution.

ACC’s network consists of approximately 9 Mobile Switching Centers, all of which utilize equipment manufactured by Nortel Networks (“Nortel”). ACC has worked with Nortel

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<sup>1</sup> See *Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, Order to Stay, 17 FCC Rcd 14841 (2002) (“*Order to Stay*”).

<sup>2</sup> This Report is being filed on behalf of American Cellular Corporation and its subsidiaries (collectively “ACC”).

<sup>3</sup> As indicated in the table, the provided “request date” indicates the date the PSAP/requesting entity sent its request to ACC. This date may not correspond with the date the PSAP’s/requesting entity’s request was “valid” per Section 20.18(j) of the rules.

<sup>4</sup> 47 C.F.R. § 20.18(j); *Revision of the Commission’s Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Petition of City of Richardson*, CC Docket No. 94-102, Order, 16 FCC Rcd 18982 (2001) (“*Richardson*”).

to prepare for Phase II deployment; all switch upgrades necessary to supply Phase II services were completed by Nortel by June, 2002.

In addition, ACC has executed an exclusive contract with Grayson Wireless to provide the PDE equipment necessary to deploy its Phase II network-based location solution. The vendor has contracted to provide compliant Phase II services in response to the PSAP requests in Hocking County, OH; the State of Minnesota; Rowan County, KY; and Montgomery County, KS as discussed below. In fact, ACC hopes to deploy Phase II services to 100% of the area in these jurisdictions by the March 2003 deadline or within 6 months of receipt of the Phase II request, and thus exceed its obligations. If the situation does not allow for deployment, however, ACC intends to work closely with each PSAP to determine an implementation schedule so that Phase II services can commence.

### **B. Phase II Requests**

ACC has received requests for Phase II service from the following jurisdictions: Hocking County, OH; the State of Minnesota; Rowan County, KY; and Montgomery County, KS. In response to Hocking County, on October 3, 2002, the company sent correspondence to the appropriate contact, stating that it is tentatively considering its request "valid" and intends to provide Phase II services by March 1, 2003. Nevertheless, to ensure that it may properly prioritize its E911-designated resources, ACC requested that the Hocking County PSAP provide documentation pursuant to the *Richardson* proceeding.<sup>5</sup> ACC received a response from Hocking County on October 7, 2002. ACC subsequently sent a follow-up letter on January 10, 2003 requesting documentation pursuant to *Richardson* and regardless of Hocking's response, ACC is tentatively treating the request as valid and is moving forward with its Phase II deployment plans for the jurisdiction. As discussed below, ACC has only one cell tower in Hocking County, but is hoping to reach a solution to enable deployment of Phase II technology.

As detailed in the table, after repeated attempts to confirm the status of readiness of the PSAPs located in the state, ACC no longer considers Minnesota's Phase II request active. The company will proceed further with Phase II in Minnesota upon receipt of a new request for Phase II services and documentation of future readiness.

ACC has also attempted to confirm the status of readiness of the PSAP in Rowan County on several occasions and continues to do so. The County responded in part to ACC's requests for information, but has not provided the requested documentation pursuant to the *Richardson* criteria.<sup>6</sup> ACC continues to discuss an implementation date with Rowan County administrators and remains committed to meeting its E911 Phase II obligations based upon appropriate assurances that the PSAP meets the Commission's readiness criteria.

ACC received Montgomery County's combined request for E911 services on July 15, 2002. During Phase I deployment, ACC learned that the PSAP had no trunking from the respective selective router at the time it submitted its request. In light of this discovery, ACC sent correspondence on October 29, 2002 requesting documentation of the County's Phase II readiness and received the requested documentation. As discussed in the report, ACC is in discussions with the PSAP to work out an alternative launch date for delivery of Phase II services.

### **C. Deployment Issues**

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<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

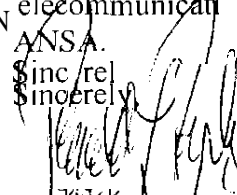
As a Tier II provider employing a network-based Phase II solution, pursuant to the *Order to Stay*, **ACC** intends to provide Phase II service to 100 percent of a requesting PSAP's coverage area in Rowan County and Montgomery County or population beginning March 1, 2003, or within six months, whichever is later. ACC remains committed to meeting these deployment benchmarks in response to valid PSAP requests for Phase II service. However, ACC may encounter logistical problems in meeting this deadline. As a result, and given all best faith efforts to deploy, ACC has resolved to deploy to 100 percent of the PSAP's coverage area as soon as deployment is possible.

In Hocking County, despite its best faith efforts, however, Dobson's network design may render meeting these accuracy standards impossible. As mentioned above, Dobson provides service via only one cell tower. Dobson is proceeding with Phase II deployment in accordance with applicable deadlines, but has yet to resolve the manner in which it will meet the accuracy standards. Dobson has engaged in discussions with a prominent nationwide carrier to discuss the possibility of collocating E911 facilities antennas on each other's tower's to facilitate the Grayson solution's triangulation techniques. Dobson is also discussing the possibility of collocating an antenna on the PSAP's tower in an effort to meet the accuracy requirements. Neither of these plans has yet to come to fruition and may ultimately prove cost-prohibitive or infeasible from an engineering perspective.

Furthermore, in discussions with Grayson Wireless, ACC has learned that leasing and zoning issues may affect ACC's ability to meet the interim deployment deadlines in some markets. Specifically, in order to meet the Commission's network-based accuracy requirements, Grayson Wireless has informed the company that it may need to install Angle-of-Arrival ("AOA") antennas at certain cell sites in addition to the Time Difference of Arrival ("TDOA") equipment that will be installed in individual cell sites. ACC has also been informed that installing AOA antennas may require tower modifications, lease modifications, and zoning approvals – any of which present the potential for delay.

ACC is bringing this to the Commission's attention as a potential issue that may affect ACC's ability to provide compliant Phase II services by March 1, 2003. Furthermore, ACC brought similar matters to the Commission's attention in its original waiver request.<sup>7</sup> Accordingly, if necessary, ACC may avail itself of further waiver procedures to account for the potential market-specific shortcomings a network-based solution in its rural markets may present. The Commission has indicated that it will consider such requests.<sup>8</sup>

As required by the *Order to Stay*, a copy of this report is being tiled with the Chief of the Enforcement Bureau, the Chief of the Wireless Telecommunications Bureau, and the Executive Directors and Counsels of APCO, NENA, and N

ANSI.  
Sincerely,  
  
Ronald L. Ripley  
Secretary

RLR:scd

<sup>7</sup> See American Cellular Corporation Petition for Waiver of Sections 20.18(e), (f), and (h) of the *Commission's* Rules, CC Docket No. 94-102, at 11-15 (tiled Sept. 4, 2001).

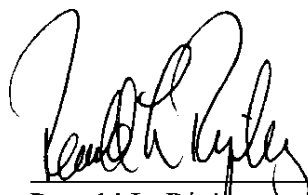
<sup>8</sup> See *Order to Stay* at ¶ 41

## AFFIDAVIT OF RONALD L. RIPLEY

I, Ronald L. Ripley, do hereby declare that the following is true and accurate:

I am an officer of American Cellular Corporation ("**ACC**").

I have reviewed the ACC E911 Phase II Quarterly Report ("Report") and to the best of my knowledge, information, or belief, all of the information contained in the Report is truthful and accurate.



Ronald L. Ripley  
Secretary

Executed on: 